

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

WRIT PETITION NO : 15121 of 1994

Between:

1. The State Bank of India S.C./S.T. Employees Welfare Council Rep. by its General Secretary, Sri. G. Shankar
s/o. late G. Balakistaiah, R/o. Flat No.321, Sri Datta Sai Apartments, RTC X Roads, Hyderabad-29.
- 2 K.C.K. Murahari s/o. Late K. Chandramouli
R/o. 1-11-252/42, Motilal Nagar, Begumpet, Hyderabad-16.
- 3 M.B. Harikrishna s/o. M.R. Balakrishna
R/o. 11-6-657, Red Hills, Nampally, Hyderabad-4.

..... PETITIONERS

AND

- 1 The Central Bank of India, Rep. by its Chairman, Central Office, Bombay.
- 2 The Chief General Manager, State Bank of India, Local Head Office, Hyderabad.
- 3 The Chairman, Indian Bankers Association, Stadium House, 6th floor, Veernaiman Road, Bombay-20.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records from the respondents and issue a writ, order or direction particularly one in the nature of writ of Mandamus declaring that the action of the respondents in not calling the petitioners 2 and 3 herein and other eligible S.C./S.T. Officers for interviews along with general candidates for promotion to the post of M.M.G. Scale-III, as illegal, unjust, contrary to law, contrary to the reservation policy and contrary to the policy of Reservation framed by the 3rd respondent and violative of articles 14, 16 and 21 of the constitution of India and pass such other and further orders.

For the Petitioner: MR.A.K.JAYAPRAKASH RAO, ADVOCATE

For the Respondents: MR.K.SRINIVASAMURTHY, ADVOCATE

The Court Made the Following Order :

The petitioners association filed this writ petition with a prayer to issue a writ of Mandamus declaring the action of the respondents in not calling petitioners 2 and 3 and other eligible SC/ST Officers for interviews along with general candidates for promotion to the post of M.M.G Scale-III as illegal and unjust.

In the affidavit filed in support of the application, it is inter alia stated that a representation was made to the 2nd respondent on 9.8.1994 when the petitioners association came to know that the respondents without considering the case of SC/ST Officers for promotion to the post of M.M.G. Scale-III as provided in para 8(1) of the I.B.A brochure, have finalized the list of eligible candidates from feeder grades and the selection process has commenced from 10.8.1994.

The gravamen of the complaint obviously related to the promotion to the post of M.M.G. scale-III with reference to the vacancies that were available to be filled in the year 1994. That a period of more than ten years has lapsed after the alleged decision of the respondent Bank in ignoring the claim of the petitioners association for promotion as Officers in M.M.G. scale-III. Sri A.K.Jaya Prakash Rao, learned counsel for the petitioners stated that he had already addressed a letter to the petitioners to find out as to whether the cause of action still survives but he did not receive any response.

Obviously, the dispute related to the claim for promotion in the year 1994 and at this stage, no cause survives requiring any further adjudication. However, the claim of the petitioners association that the respondent Bank is bound to make and provide reservations in favour of SC and ST candidates is not gone into in this writ petition and this order shall not be treated as if their right to claim for reservations has been negated by this Court.

With the observations as above, the writ petition shall stand dismissed. No costs.

DATED 01.07.2004 (B.SUDERSHAN REDDY,J)

msv.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

One fair copy to the Honourable Sri Justice B.Sudershan Reddy (for his lordship's kind perusal.)

To

- 1 The Central Bank of India, Rep. by its Chairman, Central Office, Bombay.
- 2 The Chief General Manager, State Bank of India, Local Head Office, Hyderabad.
- 3 The Chairman, Indian Bankers Association, Stadium House, 6th floor, Veernaiman Road, Bombay-20.

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